

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CHUBB & SON INC., *et al.*,

Plaintiffs,

-against-

MICHAEL J. KELLEHER, *et al.*

Defendants.

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CHUBB & SON INC., *et al.*,

Plaintiffs,

-against-

JAMES KELLEHER, *et al.*

Defendants.

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AMON, United States District Judge:

This Court has received the Report and Recommendation (R&R) of the Honorable Robert M. Levy, United States Magistrate Judge, dated October 22, 2010, recommending that plaintiffs' motion for partial summary judgment with respect to defendant Elliot Zerring be granted and that plaintiffs be awarded treble damages of \$22,145,806.65, minus set-offs for prior recoveries on the same claims. The R&R further recommends that plaintiffs be awarded pre-judgment interest at the rate of nine percent per annum on the common law fraud damages, and that plaintiffs be directed to prepare and submit their calculations regarding the amount of the judgment to be entered against Zerring, taking into account set-offs for prior recoveries and prejudgment interest. As no party has objected as of this date, the Court hereby adopts the R&R, and plaintiffs are directed to submit the aforementioned calculations within 21 days from the date of this Order.

SO ORDERED.

Dated: Brooklyn, New York  
March 7, 2011

NOT FOR PUBLICATION  
ORDER

92-CV-4484 (TLM)(RML)

95-CV-0951 (CBA)(RML)

/s/ Carol Bagley Amon

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Carol Bagley Amon  
United States District Judge